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TOWN OF JOHNSTON PLANNING BOARD

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June 25, 2013

MINUTES

The Planning Board of the Town of Johnston held a special meeting at 6:00 p.m. on Tuesday, June 25, 2013, at the Johnston Senior Center, 1291 Hartford Ave.

I. **Call to Order, Roll Call & Determination of Quorum**

The meeting was called to order at 6:00 p.m. Quorum present for the Board: Albert Cournoyer, Lauren Garzone/Chair, John Laurito/Vice-Chair, Lori Pezzullo, Peggy Passarelli (6:03 pm), and Christine Cunneen (6:05pm). Absent: Mohamad Sasa.

Also present for the Town: Joseph R. Ballirano/Planning Board Solicitor, Ben Nascenzi/Building/Zoning Official, and Susan Leonardi, Planning Clerk.

II. **Old Business**

A. **Tulip Hill Road – DeSimone Minor Land Development**

PB '13--09

Preliminary plan review of proposed 2-lot minor subdivision located at Tulip Hill Road, A.P. 55, Lot 19 on 22.1 ± acres zoned R-40 for Douglas DeSimone

Christopher Duhamel, P.E. of DiPrete Engineering presented the application. Mr. Duhamel explained that the project has previous Planning Board approval for an 8-lot subdivision. After reviewing the plans, the owners decided to redesign into two, ten acre lots meeting RIDEM stormwater standards. There will be a private gravel right-of-way that the two lots will share. The owners of the two lots will also share maintenance of the drainage system and the private driveway. The two lots meet all zoning requirements and each lot will have a four bedroom home with private wells and septic. RIDEM has issued the Insignificant Alteration Permit.

The applicant requests a waiver of the 5,000 sq. ft. disturbance limit to allow for a half-acre of disturbance on each lot for building of the homes and installation of drainage and septic systems.

Mr. Cournoyer asked if the Johnston Fire Department had approved the plan. Mr. Duhamel stated that approval for the right-of-way and the cul-de-sac has been given.

Mr. Nascenzi verified with Mr. Ballirano that the deeds to the two lots will have the maintenance requirements of the drainage system included.



Ms. Garzone verified that the cul-de-sac is large enough for emergency vehicles to turn around.

Mr. Laurito made the motion to accept the Planner's Memo dated May 23, 2013 into the record. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

Mr. Laurito made the motion to approve the Preliminary Plan, subject to the Planner's report and that the Final Plan approval would be handled administratively. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

New Business

A. Hartford Avenue - Tractor Supply Advisory Opinion and Major Land Development Master Plan Review

PB '13-11

Advisory opinion to Town Council on zoning map change to B-2 and Major Land Development master plan review for proposed development of Tractor Supply Company and a pad-ready site, 2750 Hartford Avenue – A.P. 57/3 Lots 208 (zoned B-2 and R-40) and 287 (zoned R-40) on 6.71 acres for NERP Holding & Acquisitions Company, LLC, applicant, and HAPRI, LLC, owner.

Robert Stolzman, Esq. of Adler, Pollock & Sheehan presented the application to the Board. Mr. Stolzman explained the history of the property and submitted photos of the property in its current state to the Board. Mr. Laurito made the motion to accept the photos. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

Mr. Stolzman discussed the split zone and the request for an Advisory Opinion to the Town Council to change the entire area to B2. The Master Plan application was also discussed. The proposed store would be 19,000 sq. ft. There will also be a 3,200 sq. ft. pad for a "fast food" type restaurant. Based on the traffic study, a traffic signal will not be required at the single ingress/egress point.

Mr. Stolzman submitted Stephen DeCoursey, P.E.'s resume to the Board. Mr. Ballirano asked Mr. DeCoursey what other Boards he had testified in front of. Mr. DeCoursey listed the RI boards. Mr. Laurito made the motion to accept Mr. DeCoursey as an expert witness. Ms. Passarelli seconded the motion. A voice vote was taken; all in favor. Mr. DeCoursey was sworn in and explained the proposed layout of the site and the surrounding area. All buildings currently on the two lots would be demolished and the new retail site constructed. All proposed parking spaces meet zoning regulations. Septic system design and soil testing has not yet been completed. There is one residential lot that uses the current ingress/egress for access to their property and the applicant is working with the property owner to get an easement in place for permanent access to their property.

Mr. Ballirano questioned the stacking limit for the restaurant drive-thru window. Mr. DeCoursey stated that the lane is large enough for six or eight cars. Ms. Pezzullo questioned how many large tractor trailer trucks would be entering/leaving the site for deliveries and the timing of such deliveries. Mr. Stolzman stated that the deliveries would be the same as for any other retail establishment. Ms. Cunneen questioned the location of the easement for the



property owner. Mr. Stolzman stated that the easement is still under discussion but it is currently for the property owner to use the proposed ingress/egress point of the site.

Doris Vigliotti, abutter, was sworn. Ms. Vigliotti stated that her parents built the original motel on the site and the landlocked property was her parents' home. She thinks the retail establishment will be an improvement over what is currently there. She is concerned about the single ingress/egress point as compared to the two points that the site currently utilizes. There is a "dip" in the road heading west and it is difficult to see oncoming traffic. There is also a Dunkin' Donut located very close to the site and this creates traffic in the early morning and late afternoon hours. There are drainage issues in the area that resulted from the construction of the Dunkin' Donut store. Mr. Ballirano and Mr. Stolzman stated that stormwater issues will be addressed in the next phase of development and must be resolved before final approval will be given.

Ms. Garzone questioned the proposed hours of operation for the retail establishment. Mr. Stolzman stated that they are slated to be 8:00 am to 8:00 pm. Mr. Laurito is concerned about early morning supply delivery. Mr. Stolzman stated that he does not have the delivery schedule but it is unlikely that it will be at a time that will disturb neighboring residences.

Mr. Nascenzi stated that he has been dealing with issues of this property for many years. He attempted to have the buildings demolished previously, but was stopped by the courts. There are drainage issues on the property also.

Ms. Garzone asked if this would be the first Tractor Supply in RI. Mr. Stolzman stated that there is a location in Coventry. Mark D'Addabbo was sworn and stated that Tractor Supply is located on Route 3 and took over a portion of an empty retail establishment.

Mr. Cournoyer made the motion to send a favorable recommendation to Town Council for the zone change to B2. Ms. Cunneen seconded the motion. A voice vote was taken; all in favor.

Mr. Laurito made the motion to accept the Town Planner's memo dated June 13, 2013 into the record. Ms. Cunneen seconded the motion. A voice vote was taken; all in favor.

Ms. Cunneen made the motion to approve the Master Plan for Tractor Supply Company and pad ready site. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

B. Administrative Report & Special Items

Mr. Nascenzi distributed copies of a stormwater brochure that the Town produced as part of the Phase II Stormwater Plan. This brochure will be mailed with tax bills.

C. General Business

Ms. Garzone stated that the meetings start at 6:00pm and she requested that all Board members show respect for the applicant and arrive at least ten minutes prior to the start of the meeting.



D. Adjournment

Mr. Cournoyer made the motion to adjourn the meeting; L. Pezzullo seconded. Motion carried, 4-0. June 25, 2013, Special Planning Board meeting adjourned at 7:05 p.m.

Peggy A. Passarelli
SECRETARY